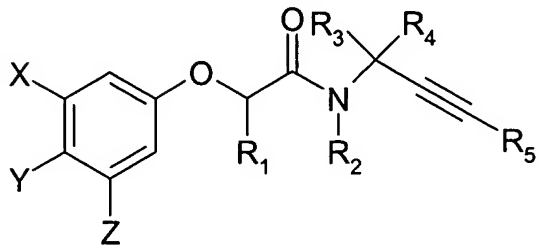
AMENDMENTS TO THE CLAIMS

Claim 1. (Original): A compound of the general formula (1):



(1)

wherein

X, Y and Z are independently H, halogen, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{2-4} alkenyl, halo(C_{2-4})alkenyl, C_{2-4} alkynyl, halo(C_{2-4})alkynyl, C_{1-4} alkoxy, halo(C_{1-4})alkoxy, -S(O)$_n$(C_{1-4})alkyl where n is 0, 1 or 2 and the alkyl group is optionally substituted with fluoro, -OSO$_2$(C_{1-4})alkyl where the alkyl group is optionally substituted with fluoro, cyano, nitro, C_{1-4} alkoxycarbonyl, -CONR'R", -COR', -NR'COR" or -NR'COOR"' where R' and R" are independently H or C_{1-4} alkyl and R"' is C_{1-4} alkyl, provided that at least one of X and Z is other than H;

R_1 is C_{1-4} alkyl, C_{2-4} alkenyl or C_{2-4} alkynyl in which the alkyl, alkenyl and alkynyl groups are optionally substituted on their terminal carbon atom with one, two or three halogen atoms, with a cyano group, with a C_{1-4} alkylcarbonyl group, with a C_{1-4} alkoxycarbonyl group or with a hydroxy group;

R_2 is H, C_{1-4} alkyl, C_{1-4} alkoxymethyl or benzyloxymethyl in which the phenyl ring of the benzyl moiety is optionally substituted with C_{1-4} alkoxy;

R_3 and R_4 are independently H, C_{1-3} alkyl, C_{2-3} alkenyl or C_{2-3} alkynyl provided that both are not H and that when both are other than H their combined total of carbon atoms does not exceed 4, or R_3 and R_4 join with the carbon atom to which they are attached to form a 3 or 4 membered carbocyclic ring optionally containing one O, S or N atom and optionally substituted with halo or C_{1-4} alkyl; and

R_5 is unsubstituted C_{3-4} alkyl, unsubstituted C_{3-6} cycloalkyl or C_{1-4} alkyl or C_{3-6} cycloalkyl in which the alkyl and cycloalkyl groups are substituted with halo, hydroxy, C_{1-6} alkoxy, cyano, C_{1-4} alkylcarbonyl-oxy, aminocarbonyloxy, mono- or di(C_{1-4})alkylaminocarbonyloxy, -S(O)$_n$(C_{1-6})alkyl where n is 0, 1 or 2, triazolyl, tri(C_{1-4})alkylsilyloxy, optionally substituted phenoxy, optionally substituted thienyloxy, optionally substituted benzyloxy or optionally substituted thienylmethoxy, in which the optionally substituted phenyl and thienyl rings of phenoxy, thienyloxy, benzyloxy and thienylmethoxy are optionally substituted with one, two or three substituents selected from halo, hydroxy, mercapto, C_{1-4} alkyl, C_{2-4} alkenyl, C_{2-4} alkynyl, C_{1-4} alkoxy, C_{2-4} alkenyloxy, C_{2-4} alkynyloxy, halo(C_{1-4})alkyl, halo(C_{1-4}

$_4$)alkoxy, C_{1-4} alkylthio, halo(C_{1-4})alkylthio, hydroxy(C_{1-4})alkyl, C_{1-4} alkoxy(C_{1-4})alkyl, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, $-NR^mR^n$, $-NHCOR^m$, $-NHCONR^mR^n$, $-CONR^mR^n$, $-SO_2R^m$, $-OSO_2R^m$, $-COR^m$, $-CR^m{=}NR^n$ or $-N{=}CR^mR^n$, in which R^m and R^n are independently hydrogen, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy, halo(C_{1-4})alkoxy, C_{1-4} alkylthio, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C_{1-4} alkyl or C_{1-4} alkoxy.

Claim 2. (Original): A compound according to claim 1 wherein X, Y and Z are all chloro or methyl, or X and Z are both chloro or bromo and Y is H or methyl, or X and Z are both methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and both Y and Z are H.

Claim 3. (Currently Amended): A compound according to claim 1 ~~or 2~~ wherein R_1 is methyl, ethyl, *n*-propyl, 2,2,2-trifluoromethyl, cyanomethyl, acetylmethyl, methoxycarbonylmethyl, methoxycarbonylethyl, hydroxymethyl, hydroxyethyl.

Claim 4. (Currently Amended): A compound according to claim1 ~~or 2~~ wherein R_1 is ethyl.

Claim 5. (Currently Amended): A compound according to ~~any one of the preceding claims~~ claim 1 wherein R_2 is H.

Claim 6. (Currently Amended): A compound according to ~~any one of the preceding claims~~ claim 1 wherein both R_3 and R_4 are methyl.

Claim 7. (Currently Amended): A compound according to ~~any one of the preceding claims~~ claim 1 wherein R_5 is *n*-propyl, hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsiloxymethyl, 3-chloropropyl, 3-cyanopropyl, 3-methoxypropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-methanesulphinylpropyl or 3-methanesulphonylpropyl.

Claim 8. (Original): A compound according to claim 1 wherein
X, Y and Z are independently H, halogen, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{2-4} alkenyl, halo(C_{2-4})alkenyl, C_{2-4} alkynyl, halo(C_{2-4})alkynyl, C_{1-4} alkoxy, halo(C_{1-4})alkoxy, $-S(O)_n(C_{1-4})$alkyl where n is 0, 1 or 2 and the alkyl group is optionally substituted with fluoro, $-OSO_2(C_{1-4})$alkyl where the alkyl group is optionally substituted with fluoro, cyano, nitro, C_{1-4} alkoxycarbonyl, -CONR'R", -COR' or -NR'COR"

where R' and R" are independently H or C_{1-4} alkyl, provided that at least one of X and Z is other than H;

R_1 is C_{1-4} alkyl, C_{2-4} alkenyl or C_{2-4} alkynyl in which the alkyl, alkenyl and alkynyl groups are optionally substituted on their terminal carbon atom with one, two or three halogen atoms, with a cyano group, with a C_{1-4} alkylcarbonyl group, with a C_{1-4} alkoxycarbonyl group or with a hydroxy group;

R_2 is H, C_{1-4} alkyl, C_{1-4} alkoxymethyl or benzyloxymethyl in which the phenyl ring of the benzyl moiety is optionally substituted with C_{1-4} alkoxy;

R_3 and R_4 are independently H, C_{1-3} alkyl, C_{2-3} alkenyl or C_{2-3} alkynyl provided that both are not H and that when both are other than H their combined total of carbon atoms does not exceed 4, or R_3 and R_4 join with the carbon atom to which they are attached to form a 3 or 4 membered carbocyclic ring optionally containing one O, S or N atom and optionally substituted with halo or C_{1-4} alkyl; and

R_5 is C_{1-4} alkyl or C_{3-6} cycloalkyl in which the alkyl and cycloalkyl groups are substituted with hydroxy, C_{1-6} alkoxy, C_{1-6} alkylthio, tri(C_{1-4})alkylsilyloxy, optionally substituted phenoxy, optionally substituted thienyloxy, optionally substituted benzyloxy or optionally substituted thienylmethoxy, in which the optionally substituted phenyl and thienyl rings of phenoxy, thienyloxy, benzyloxy and thienylmethoxy are optionally substituted with one, two or three substituents selected from halo, hydroxy, mercapto, C_{1-4} alkyl, C_{2-4} alkenyl, C_{2-4} alkynyl, C_{1-4} alkoxy, C_{2-4} alkenyloxy, C_{2-4} alkynyloxy, halo(C_{1-4})alkyl, halo(C_{1-4})alkoxy, C_{1-4} alkylthio, halo(C_{1-4})alkylthio, hydroxy(C_{1-4})alkyl, C_{1-4}alkoxy(C_{1-4})alkyl, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, $-NR^mR^n$, $-NHCOR^m$, $-NHCONR^mR^n$, $-CONR^mR^n$, $--SO_2R^m$, $-OSO_2R^m$, $-COR^m$, $-CR^m{=}NR^n$ or $-N{=}CR^mR^n$, in which R^m and R^n are independently hydrogen, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy, halo(C_{1-4})alkoxy, C_{1-4} alkylthio, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})-alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C_{1-4} alkyl or C_{1-4} alkoxy.

Claim 9. (Original): A compound according to claim 1 wherein X, Y and Z are all chloro or methyl, or X and Z are both chloro or bromo and Y is H or methyl, or X and Z are both methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and both Y and Z are H; R_1 is methyl, ethyl, *n*-propyl, 2,2,2-trifluoromethyl, cyanomethyl, acetylmethyl, methoxycarbonylmethyl, methoxycarbonylethyl, hydroxymethyl or hydroxyethyl; R_2 is H; R_3 and R_4 are both methyl; and R_5 is hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsiloxymethyl, 3-chloropropyl, 3-cyanopropyl, 3-methoxypropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-

methanesulphinylpropyl or 3-methanesulphonylpropyl. Preferably R_1 is ethyl. Preferably R_5 is methoxymethyl or 3-cyanopropyl.

Claim 10. (Original): A process for preparing a compound of the general formula (1) according to claim 1 as herein described.

Claim 11. (Original): A fungicidal composition comprising a fungicidally effective amount of a compound of the general formula (1) according to claim 1 and a suitable carrier or diluent therefor.

Claim 12. (Currently Amended): A method of combating or controlling phytopathogenic fungi which comprises applying a fungicidally effective amount of a compound of the general formula (1) according to claim 1 ~~or a composition according to claim 11~~ to a plant, to a seed of a plant, to the locus of the plant or seed or to soil or any other plant growth medium.